

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

TIMOTHY HANRAHAN, JR.,

Plaintiff,

v.

**9:07-CV-610
(FJS/ATB)**

DR. MENON, Herkimer County Mental Health; EDGAR SCUDDER, Director of Community Services, Herkimer County Mental Health; HERKIMER COUNTY CORRECTIONAL FACILITY; CAPTAIN MCGRAIL, Superintendent, Herkimer County Correctional Facility; SHANNON URTZ, RN, Medical Department, Herkimer County Correctional Facility; and HON. CHRISTOPHER FARBER, Policymaker for Herkimer County Correctional Facility,

Defendants.

APPEARANCES

OF COUNSEL

TIMOTHY W. HANRAHAN, JR.

Ilion, New York 13357

Plaintiff *pro se*

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Attorneys for Defendants Scudder, Herkimer County

Correctional Facility, McGrail, Urtz, and Farber

THOMAS K. MURPHY, ESQ.

SCULLIN, Senior Judge

ORDER

In a Report-Recommendation dated December 15, 2010, Magistrate Judge Baxter recommended that the Court grant Defendants' motions for summary judgment and dismiss the amended complaint. *See* Dkt. No. 96. Plaintiff filed objections to the Report and Recommendation, essentially raising the same arguments that he presented to Magistrate Judge Baxter. *See* Dkt. No. 97.

When a party files specific objections to a magistrate judge's report-recommendation, the district court makes a "*de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). However, when a party files "[g]eneral or conclusory objections or objections which merely recite the same arguments [that he presented] to the magistrate judge," the court reviews those recommendations for clear error. *O'Diah v. Mawhir*, No. 9:08-CV-322, 2011 WL 933846, *1 (N.D.N.Y. Mar. 16, 2011) (citations and footnote omitted). After the appropriate review, "the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

Despite the conclusory nature of most of Plaintiff's objections, the Court has reviewed the record *de novo* in light of the issues that Plaintiff raised in those objections. Having completed that review, the Court finds his objections to be without merit.

Accordingly, the Court hereby

ORDERS that Magistrate Judge Baxter's December 15, 2010 Report-Recommendation is **ACCEPTED** in its entirety for the reasons stated therein; and the Court further

ORDERS that Defendant Menon's motion for summary judgment is **GRANTED**; and the Court further

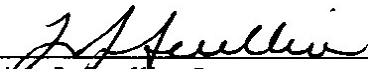
ORDERS that Defendants Scudder, Herkimer County Correctional Facility, McGrail, Urtz, and Farber's motion for summary judgment is **GRANTED**; and the Court further

ORDERS that Plaintiff's amended complaint is **DISMISSED**; and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendants and close this case.

IT IS SO ORDERED.

Dated: March 31, 2011
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge